

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **TBD Excavating LLC v Jackie's Transport Inc**
Docket No. **288132**
L.C. No. **06-633417-CB**

Henry William Saad, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal is DISMISSED for lack of jurisdiction. The claim of appeal is untimely because it was not filed within 21 days of the July 21, 2008 judgment. MCR 7.204(A)(1)(a). The time for filing the claim of appeal was not extended by MCR 7.204(A)(1)(b) because the motion for a new trial or judgment notwithstanding the verdict was not filed within 21 days of the July 21, 2008 judgment. At this time appellant may seek to appeal the July 21, 2008 judgment only by filing a delayed application for leave to appeal under MCR 7.205(F).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

NOV 21 2008

Date

Sandra Schultz Mengel
Chief Clerk